

# Exhibit M



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Oakland Local Office**

1301 Clay Street, Suite 680-N  
Oakland, CA 94612  
Oakland Direct Dial: (510) 956-0004  
FAX (510) 637-3235  
Website: [www.eeoc.gov](http://www.eeoc.gov)

Charge No. 555-2019-01273

Charlotte A. Burrows, Chair  
U.S. Equal Employment Opportunity Commission

Charging Party

Tesla, Inc.  
6800 Dumbarton Circle  
Fremont, CA 94555

Respondent

**DETERMINATION**

Under the authority vested in me by the U.S. Equal Employment Opportunity Commission (hereinafter, Commission), I issue the following determination as to the merits of the charge of discrimination (hereinafter, charge) filed under Title VII of the Civil Rights Act of 1964, as amended (hereinafter, Title VII). All jurisdictional requirements have been met.

The Commission filed this Commissioner's charge alleging that from at least May 29, 2015 to present: Respondent Tesla, Inc, (a) subjected a class of Black employees to a hostile work environment based on their race; and (b) retaliated against a class of Black employees for opposing race-based harassment and discrimination that they experienced or observed.

I have considered all the evidence disclosed during the investigation and have determined that there is reasonable cause to believe that Respondent violated Title VII of the Civil Rights Act of 1964, as amended, by subjecting a class of Black employees to a hostile work environment and retaliating against a class of Black employees who engaged in protected activity. The aggrieved persons include all Black employees who were employed at Respondent's Fremont, CA facilities at any time since May 29, 2015 to the present, who have been adversely affected by such unlawful employment practices.

Upon finding that there is reason to believe that violations have occurred, the Commission invites Respondent to join with it in collective efforts toward a just resolution of this matter through informal methods of conciliation.

If the Respondent declines to discuss settlement, or when, for any other reason, a settlement acceptable to the Commission is not obtained, the office Director will inform Respondent and advise it of the court enforcement alternatives available to aggrieved persons and the Commission. Disclosure of information obtained by the Commission during the conciliation process will be made in accordance with Section 706(b) of Title VII and Section 1601.26 of the Commission's procedural regulations. A Commission representative will contact the Respondent in the near future to begin conciliation.

On Behalf of the Commission:

Nancy A.  
Sienko

Digitally signed by Nancy A. Sienko  
DN:cn=Nancy A. Sienko, o=San Francisco  
District Office, ou=U.S. EEOC  
email=NANCY.SIENKO@EEOC.GOV, c=US  
Date: 2022.06.01 17:15:36 -07'00"

June 1, 2022  
\_\_\_\_\_  
Date

Nancy A. Sienko, District Director  
San Francisco District Office